

ESTTA Tracking number: **ESTTA173738**

Filing date: **11/08/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91179197
Party	Defendant BioWare Corp.
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Submission	Other Motions/Papers
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Date	11/08/2007
Attachments	Vutek v. Bioware - Second Joint Request to Continue Dates.PDF (4 pages) (94141 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Trademark Trial and Appeal Board**

IN RE: VUTEK, INC. v. BIOWARE CORP.

Trademark: BIOWARE CORP.

Opposer: VUTEk, Inc.

Applicant: BioWare Corp.

Opposition No. 91179197
Serial No. 76636906

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

SECOND JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S

RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S

MOTION TO DISMISS

On October 5, 2007, Applicant BioWare Corp. ("BioWare") filed and served its Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6). VUTEk's ("VUTEk") response thereto was due on October 25, 2007. BioWare and VUTEk then entered into substantive settlement discussions that, if successful, would resolve this proceeding and others pending before the Board and other agencies around the world. On October 23, 2007, BioWare and VUTEk agreed and stipulated to extend the date for VUTEk's response to November 8, 2007, and BioWare's reply thereto would be due 15 days after service thereof. The settlement discussions are still ongoing and, accordingly, both BioWare and VUTEk have agreed and stipulated to again extend the dates for VUTEk's response

and BioWare's reply. The parties appear to be close to reaching an agreement, and will use the additional time sought here to try to finalize an agreement and a process for its implementation. BioWare and VUTEk agree that this is good cause to extend VUTEk's time to respond to BioWare's Motion to Dismiss, and therefore stipulate and respectfully request that the Board continue the dates for the response to November 21, 2007, with the reply thereto due fifteen days after service thereof.

Dated: November 8, 2007

Respectfully submitted,

BRYAN CAVE LLP

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VUTEK, INC.

/s/ Alex K. Grab
Alex K. Grab
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VUTEk, Inc.

CERTIFICATE OF FILING

The undersigned hereby certifies that the foregoing SECOND JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S MOTION TO DISMISS was electronically filed with the U.S. Patent & Trademark Office Trademark Trial and Appeal Board, on this 8th day of November, 2007.

/s/ Paul N. Tauger

CERTIFICATE OF SERVICE

I hereby certify that a true copy of SECOND JOINT REQUEST TO CONTINUE DATES FOR OPPOSER'S RESPONSE AND APPLICANT'S REPLY TO APPLICANT'S MOTION TO DISMISS was served upon the Opposer Vutek, Inc. by mailing the same by first class mail to Opposer's counsel, Alex K. Grab, 303 Velocity Way, Foster City, CA 94404, on the 8th day of November, 2007.

/s/Alicia Moore
Alicia Moore